

CHANGES AND INNOVATIONS OF THE NEW LAW "ON CIVIL STATUS" NO.10129 DT. 11.05.2009.

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Abstract

Through this paper I will introduce, all the novelties of the new law "On civil status", a comprehensive analysis of the changes that this law has made (Law no. 10129, dated 11.05.2009), in an argumentative way. Analysis of this article will be made referring to the decision of the Constitutional Court. I will also review the scope of Law No. 8950 dated 10.10.2002, in which we find what is the meaning and components of civil Albanian nationals and stateless persons, as well as the organization and functioning of the civil service in the Republic of Albania. An important point will be the Decision No.52 dated 01.12.2011 of the Constitutional Court, which requires the declaration as incompatible with Articles 16/1, 17, 19, 20 and 35 of the Constitution of the Republic of Albania, the term "nationality" and the term "Nationality in accordance with the nationality of the parents", as defined in Article 42/2, letter "e"; Article 58, wholly, of Law no. 10129, dated 11.05.2009 "On the registry". The Constitutional Court states that: "The Albanian Constitution does not have a clear definition of the term "nationality" or the term "national minority", though these terms are included in the constitutional provisions. The Court also notes the absence of other laws or regulations that contain adjustments in the terms "nationality", "ethnic minority" or "national minority". For the first time the term "nationality" is mentioned in the Law no. 8950, dated 10.10.2002 "For civil status", repealed, but not defined as a term. The Civil status law, the provisions of which are subject to this article, does not specify in an exact and clear way what is meant by the term "nationality".

Key words: *Law, Articles, Constitution, Changes.*